

ASSEMBLY BILL

No. 452

Introduced by Assembly Member Yee

February 15, 2005

An act to amend Section 97.1 of, and to add and repeal Section 97.2 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 452, as introduced, Yee. Vehicles: fines.

Under existing law, until January 1, 2006, the segment of State Highway Route 101 between Eureka Slough Bridge and the Gannon Slough Bridge in Arcata is designated a Safety Enhancement-Double Fine Zone.

This bill would, until January 1, 2007, designate the segment of State Highway Route 1 in the City and County of San Francisco beginning at the intersection of 19th Avenue and Junipero Serra Boulevard and ending at the intersection of State Highway Route 1 and Lake Street as a Safety Enhancement-Double Fine Zone, and would make it subject to provisions requiring increased fines for certain traffic violations in Safety Enhancement-Double Fine Zones.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 97.1 of the Streets and Highways Code
- 2 is amended to read:
- 3 97.1. (a) ~~The five-mile segment of State Highway Route 101,~~
- 4 ~~between the Eureka Slough Bridge No. 4-22 and the Gannon~~

1 ~~Slough Bridge No. 4-24 in Arcata is a “Safety~~
2 ~~Enhancement-Double Fine Zone.” This highway segment A~~
3 ~~Safety Enhancement-Double Fine Zone~~ is subject to the rules and
4 regulations adopted by the department prescribing uniform
5 standards for warning signs to notify motorists that, pursuant to
6 Section 42010 of the Vehicle Code, increased penalties apply for
7 traffic violations that are committed within a Safety
8 Enhancement-Double Fine Zone. ~~The~~

9 (b) ~~The department or the local authority having jurisdiction~~
10 ~~over this highway segment these highway and road segments~~
11 shall place and maintain the warning signs identifying ~~this~~
12 ~~highway these segments~~ by stating that a “Special Safety Zone
13 Region Begins Here” and a “Special Safety Zone Ends Here.”
14 ~~The department shall adopt rules and regulations for the~~
15 ~~administration of a Safety Enhancement-Double Fine Zone under~~
16 ~~this section.~~

17 (b) ~~Designation of this highway segment as a Safety~~
18 ~~Enhancement-Double Fine Zone does~~ Zones do not increase the
19 civil liability of the state ~~or local authority having jurisdiction~~
20 ~~over the highway segment~~ under Division 3.6 (commencing with
21 Section 810) of Title 1 of the Government Code or any other
22 provision of law relating to civil liability.

23 (c) (1) Only the base fine shall be enhanced pursuant to this
24 section.

25 (2) Notwithstanding any other provision of law, any additional
26 penalty, forfeiture, or assessment imposed by any other statute
27 shall be based on the amount of the base fine before enhancement
28 or doubling and shall not be based on the amount of the enhanced
29 fine imposed pursuant to this section.

30 (d) ~~The project specified in subdivision (a)~~ projects specified
31 ~~as Safety Enhancement-Double Fine Zones~~ shall not be elevated
32 in priority for state funding purposes.

33 (e) ~~This section shall remain in effect only until January 1,~~
34 ~~2006, and as of that date is repealed, unless a later enacted~~
35 ~~statute, which is enacted before January 1, 2006, deletes or~~
36 ~~extends that date.~~

37 SEC. 2. Section 97.2 is added to the Streets and Highways
38 Code, to read:

39 97.2. (a) The segment of State Highway Route 1 in the City
40 and County of San Francisco beginning at the intersection of

1 19th Avenue and Junipero Serra Boulevard and ending at the
2 intersection of State Highway Route 1 and Lake Street is a Safety
3 Enhancement-Double Fine Zone.

4 (b) This section shall remain in effect only until January 1,
5 2007, and as of that date is repealed, unless a later enacted
6 statute, that is enacted on or before January 1, 2007, deletes or
7 extends that date.

8 SEC. 3. Section 42010 is added to the Vehicle Code, to read:

9 42010. (a) For any offense specified in subdivision (b) that is
10 committed by the driver of a vehicle within an area that has been
11 designated as a Safety Enhancement-Double Fine Zone pursuant
12 to subdivision (a) of Section 97.1 of the Streets and Highways
13 Code, the fine, in a misdemeanor case, shall be double the
14 amount otherwise prescribed, and, in an infraction case, the fine
15 shall be one category higher than the penalty otherwise
16 prescribed by the uniform traffic penalty schedule established
17 pursuant to Section 40310.

18 (b) A violation of any of the following provisions is an offense
19 that is subject to subdivision (a):

20 (1) Chapter 3 (commencing with Section 21650) of Division
21 11, relating to driving, overtaking, and passing.

22 (2) Chapter 7 (commencing with Section 22348) of Division
23 11, relating to speed limits.

24 (3) Section 23103, relating to reckless driving.

25 (4) Section 23104, relating to reckless driving that results in
26 bodily injury to another.

27 (5) Section 23109, relating to speed contests.

28 (6) Section 23152, relating to driving under the influence of
29 alcohol or a controlled substance, or a violation of Section
30 23103, as specified in Section 23103.5, relating to alcohol-related
31 reckless driving.

32 (7) Section 23153, relating to driving under the influence of
33 alcohol or a controlled substance, which results in bodily injury
34 to another.

35 (8) Section 23220, relating to drinking while driving.

36 (9) Section 23221, relating to drinking in a motor vehicle
37 while on the highway.

38 (10) Section 23222, relating to driving while possessing an
39 open alcoholic beverage container.

1 (11) Section 23223, relating to being in a vehicle on the
2 highway while possessing an open alcoholic beverage container.

3 (12) Section 23224, relating to being a driver or passenger
4 under 21 years of age possessing an open alcoholic beverage
5 container.

6 (13) Section 23225, relating to being the owner or driver of a
7 vehicle in which there is an open alcoholic beverage container.

8 (14) Section 23226, relating to being a passenger in a vehicle
9 in which there is an open alcoholic beverage container.

10 (c) This section applies only when traffic controls or warning
11 signs have been placed pursuant to Section 97.1 of the Streets
12 and Highways Code.

13 (d) (1) Notwithstanding any other provision of law, the
14 enhanced fine imposed pursuant to this section shall be based
15 only on the base fine imposed for the underlying offense and
16 shall not include any other enhancements imposed pursuant to
17 law.

18 (2) Notwithstanding any other provision of law, any additional
19 penalty, forfeiture, or assessment imposed by any other statute
20 shall be based on the amount of the base fine before enhancement
21 or doubling and shall not be based on the amount of the enhanced
22 fine imposed pursuant to this section.